

DIRECT TESTIMONY OF RICHARD HAUSCHILD

I, Richard Hauschild, testify as follows:

1. I have been employed by Contemporary Broadcasting, Inc. ("Contemporary") at Station KFMZ, Columbia, Missouri (the "Station"), since October 1988. I was originally hired as an account executive by the Station's former general manager, Scott Boltz. Subsequently, in 1989, I became a senior account executive with the Station. In June 1991, I was promoted to the position of General Manager and Sales Manager by Janet Cox, Vice President of Contemporary, after interviewing for the position in a meeting with Mrs. Cox and Michael Rice's father, Malcolm Rice. Michael Rice was not in attendance at the meeting. To my knowledge, Michael Rice had no involvement in my promotion.

2. Prior to my employment with Contemporary, I worked for more than 20 years in the following broadcast or broadcast-related positions:

Account Executive, American Research Bureau (now Arbitron) (1965-1969);

Account Executive, WMCA Radio (1969-1971);

Broadcast Media Supervisor, BBDO, Inc. (1971-1975);

Media Director, Robert Burton Associates, Ltd. (1975-1977);

Media Manager, The Singer Company - U.S. Sewing Products Division (1977-1979);

Media Supervisor, Dancer, Fitzgerald, Sample, Inc. (1979-1982);

Sales Supervisor, The New York Times (National Edition) (1982-1983);

Part-time positions: Reporter, salesman, KMMO-KMFL; program advertising sales, Lyceum Theatre; relief programmer, announcer, KBIA (1983-1986);

Case No. \_\_\_\_\_

Official Exhibit No. \_\_\_\_\_

Disposition: \_\_\_\_\_

Received \_\_\_\_\_

IN THE MATTER OF: \_\_\_\_\_

Date: \_\_\_\_\_

Witness: \_\_\_\_\_

Reporter: \_\_\_\_\_

No. Pages: \_\_\_\_\_

Account executive, KTMQ/KTGR (1986-1988).

3. In an April 1991 meeting with former General Manager Scott Boltz, I was informed that Michael Rice would have no involvement in the Station's business and operations. I recall that same information was reiterated to me by Janet Cox.

4. In fact, I have had very minimal contact with Michael Rice since I became employed at KFMZ. I believe I have had no more than three or four contacts with Michael Rice, all in person, and all limited to general, informal conversation -- not Station business or operation matters. Since becoming the General Manager of KFMZ, I have received no letters, memos or other correspondence or any telephone calls from Mr. Rice regarding sales, programming, personnel, or any other aspect of Station policy, management or daily operations. Likewise, I have never written a letter or memo to Michael Rice, nor have I called him for purposes of discussing sales, programming, personnel or Station management, policy, daily operations or any other matter concerning the Station.

5. All of my contacts with Contemporary have been with Janet Cox, or her administrative assistants, with whom I meet, speak to by telephone and communicate in writing on a regular basis. I have had an annual budget meeting in October or November of each year beginning in 1991 with Janet Cox. The meetings are held at the company headquarters in St. Peters, Missouri and have been attended by the KFMZ program director, occasionally the Station engineer, Janet Cox and me. Michael

Rice has never participated in person, by telephone or otherwise in any of these meetings.

6. At Janet Cox's direction, I send semi-weekly deposit reports to headquarters. I also send semi-weekly sales summaries and projections. Once weekly, I send a sales report to headquarters. On a monthly basis, I send a report on accounts receivable and customer purchase history. Also, monthly, I send a gross sales report by salesperson and account and a collections report in the form of deposits record. On a monthly basis, I also send an interest report on finance charges. Finally, I send to headquarters a monthly report on contracts status by account and sales person. Never have I sent any of these reports to Michael Rice and never have I discussed the content of any of these reports with Mr. Rice.

7. There are currently 18 full-time (one of whom is on maternity leave), and seven part-time employees at KFMZ. Since I became General Manager I have, in conjunction with Janet Cox, been responsible for the hiring and termination of Station employees, including the termination of a program director, the hiring of a replacement program director in September 1994, and the hiring of his replacement in January 1995, who was promoted from the position of Music Director. I also hired a new Chief Engineer in July 1994. I had no contact with Michael Rice about any of these personnel decisions, nor have I been advised, directed, or consulted in any manner by Michael Rice in connection with these hirings and terminations.

8. In April 1995, I recommended to Janet Cox that the Station retain the services of a programming consultant, David Lange, of DL Consulting. There had not been a programming consultant on a full time basis since the late 1980's. Mr. Lange's company, DL Consulting, was retained and has been the programming consultant since then. Michael Rice had no involvement in the process of retaining DL Consulting.

9. Since Michael Rice's conviction and his subsequent incarceration, the Station continues to maintain a record of substantial community involvement and public service and it enjoys a highly favorable reputation in the community. Attached hereto as Appendix A are numerous letters of appreciation documenting the Station's continued commitment to quality broadcasting and public service. The local institutions and organizations who have written to the Station include: the University of Missouri-Columbia, the American Cancer Society, St. Francis House, Boone Hospital Center, Secondary Learning Center, the Missouri Special Olympics, Cathedral of St. Joseph School, the Boone County Chapter of the American Red Cross, Hickman and Rock Bridge High School, Stephens College, Delta Delta Delta (fraternal organization, University of Missouri), Southern Boone County Schools, Missouri Department of Conservation, Rock Bridge Elementary, the Columbia Chamber of Commerce, the New Haven Elementary School, the Arrow Rock Lyceum Theatre, the Salvation Army, American Heart Association, the Columbia Housing Authority, Sigma Alpha Epsilon Missouri Alpha Chapter, University of

Missouri), Comprehensive Human Services, Inc., the MU Staff Advisory Council, the University of Missouri Athletic Department, Central Columbia Association, the March of Dimes Birth Defects Foundation, the Russell Boulevard Elementary School, the Boone County Commission, Anheuser-Busch Companies, Freedom of Road Riders, Inc., Central Missouri Food Bank Network, Inc., Boone County National Bank Harrisburg School, Sandra Eastwood ("Miss Columbia"), Alpha Epsilon Pi Fraternity (Mu Deuteron Chapter), Kappa Alpha Theta, the Alpha Chi Omega, Blind Boone Highsteppers, Woodhaven Learning Center, the Ann Carlson Emergency Food Pantry, the Department of the Navy (Naval Reserve Officers Training Corps), Meadowbrook Manor, Cedar Ridge Elementary School, Kappa Kappa Gamma (Theta Chapter, University of Missouri), D.Z. & Crain Promotions, Mid-Missouri Ronald McDonald House, Family Counseling Center of Mo., Inc., the Rainbow House, the Heart Coalition, the Mizzou Annual Fund (University of Missouri-Columbia), the Missouri University Basketball team, Shepard Blvd. Elementary School, the Missouri Chapter of Evans Scholars, Blue Cross and Blue Shield of Missouri, the St. Charles County YMCA, New Haven Accelerated Elementary School, Jefferson Junior High School, West Boulevard Accelerated School, Hickman High School, the Benton Elementary School PTA, Lenoir Child Care Parent Group, Central Missouri Food Bank, University Extension, Childrens' Miracle, Dialysis Clinic, Inc., Missouri Association for Court Administration, Muscular Dystrophy Association, MU Alumni Association, United Way of the Columbia Area, the Junior Girl Scouts of Mid

Missouri, Big Brothers/Sisters of Mid-America, Fulton Senior  
Parents' Association, Alzheimer's Association, Children's  
Hospital Pediatric Unit, Westlake Store #5, Global Satellite  
Network, Missouri Division of Tourism, Boone County R-IV Schools,  
Columbia College, Ridgeway Elementary School and TCI Cablevision  
of Missouri, Inc.

## APPENDIX A





Mr. Richard Hauschild  
General Manager  
KFMZ Radio  
1101 East Walnut  
P.O. Box 1268  
Columbia, Mo 65205

Dear Richard:

Just a note to say thanks for KFMZ's involvement in the 3-on-3 Hoopin' It Up! basketball tournament. From our standpoint having KFMZ as a sponsor really benefitted the tournament in public awareness as well as providing a much needed festive atmosphere during the actual tournament. The on-site broadcast and music were big hits with the participants, volunteers and spectators.

We hope that KFMZ benefitted from the association with the Show-Me STATE GAMES Hoopin' It Up! basketball tournament and helped make KFMZ's 20th anniversary a memorable one.

At this it looks like the tournament cleared between \$8,000-\$9,000. All funds will go to the operational budget of the Show-Me STATE. We are very pleased about this amount. KFMZ's Couch Hoops was fun and added a nice touch to the tournament and of course we appreciate the proceeds of Couch Hoops being donated to the Show-Me STATE GAMES.

Our whole staff is excited and looking forward to KFMZ helping sponsor the next 3-on-3 tournament to be held in the spring as you and I discussed last week.

Richard, please pass along to all the people at KFMZ our sincere gratitude and thanks for their support of the Show-Me STATE GAMES.

Sincerely,

Ken Ash  
Assistant Director



June 3, 1992

Mr. Richard Hauschild  
Station Manager  
KFMZ Radio  
1101 E. Walnut  
Columbia, Mo 65201

Dear Richard:

I want thank you and KFMZ for your support of the 3-on-3 Hoopin' It Up! basketball tournament. The air time that KFMZ donated to the 3-on-3 tournament was sincerely appreciated. It really gives the tournament a great deal of exposure and is very beneficial in recruiting teams to enter.

As you know the Hoopin' It Up! basketball tournament is a fundraiser for the Show-Me STATE GAMES. This year, due to sponsors such as KFMZ Radio, we had the best tournament to date. Almost \$15,000 was generated by this event and that exceeds our best by \$4,000.

KFMZ's live remotes and pop-a-shot activities kept the 3-on-3 hoopsters really hopping and gave the tournament a festive atmosphere. Of course, we are grateful for the \$288 generated by the pop-a-shot being donated to the Show-Me STATE GAMES.

Please give Chris, Jeff, Sally and Sean and your staff our thanks for the wonderful job that they did on site and in the studio. It was a job well done.

Thanks again for your continued support of the Show-Me STATE GAMES and I look forward to working with you this fall at the next Hoopin' It Up!.

Sincerely

Ken Ash  
Assistant Director



UNIVERSITY OF MISSOURI-COLUMBIA

Office for Student Development

Women's Center

229 Brady Commons  
Columbia, Missouri 65211  
Telephone (314) 882-6621

April 26, 1990

Dear Manager of KFMZ and Chris Kellogg,

On the morning of April 23 Chris Kellogg told a joke on the air that supports the idea that rape is acceptable when the woman is drunk. The joke was in the context of "redneck phrases" and said that a redneck mating call was "Hey guys, I'm drunk."

Rape is when a person, usually a woman, is forced to have sex when she does not give consent. A woman or man is not able to give consent when they are so drunk that they don't know what is going on or are passed out. It is a prevalent myth in our culture that if a woman is drunk she is "asking" for sex/rape. The joke mentioned above promotes this myth. One in every three women will be raped at some point in their lifetime. We don't need jokes that promote myths that say rape is OK under certain circumstances. It is never OK.

I enjoy the Breakfast Flakes and will continue to listen to them. I will also continue to protest rape jokes. Please use your show to entertain, not to promote dangerous myths.

Sincerely,

A handwritten signature in cursive script that reads "Jessica Hinz".

Jessica Hinz  
Rape Education Intern



UNIVERSITY OF MISSOURI-COLUMBIA

Office of Development

117 Alumni Center  
Columbia, Missouri 65211  
Telephone (314) 882-6511

December 31, 1991

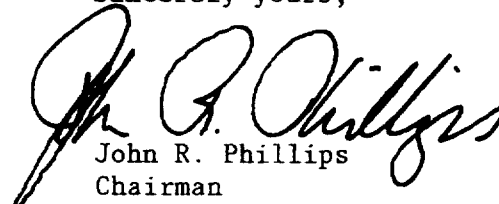
KFMZ Radio Station  
Attn: Mr. Richard Hauschild  
P.O. Box 1145  
Columbia, MO 65205

Dear Mr. Hauschild:

Happy New Year! Thank you for your gift of Missouri pride card sponsor to the Tiger Scholarship Fund Value Gifts which will be used for the betterment of our University. Gifts from alumni and friends like you enable MU to provide programs, student and faculty assistance, and facilities and equipment that would not otherwise be available. Your contribution qualifies as a charitable deduction for income tax purposes so you may wish to retain this letter for your records.

Your gift also adds to our "MU Leads the Way Campaign" which has raised more than \$119 million of a \$150 million goal. We appreciate your generous investment in the University's future and pledge to use your gift to continue to provide the finest education possible.

Sincerely yours,



John R. Phillips  
Chairman  
Development Council

JRP/tww



UNIVERSITY OF MISSOURI-COLUMBIA

Office of Development

117 Alumni Center  
Columbia, Missouri 65211  
Telephone (314) 882-6511

December 31, 1991

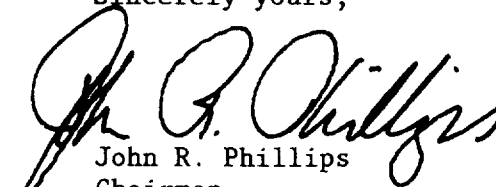
KFMZ Radio Station  
Attn: Mr. Richard Hauschild  
P.O. Box 1345  
Columbia, MO 65205

Dear Mr. Hauschild:

Happy New Year! Thank you for your gift of radio advertising the Tiger Scholarship Fund Value Gifts which will be used for the betterment of our University. Gifts from alumni and friends like you enable MU to provide programs, student and faculty assistance, and facilities and equipment that would not otherwise be available. Your contribution qualifies as a charitable deduction for income tax purposes so you may wish to retain this letter for your records.

Your gift also adds to our "MU Leads the Way Campaign" which has raised more than \$119 million of a \$150 million goal. We appreciate your generous investment in the University's future and pledge to use your gift to continue to provide the finest education possible.

Sincerely yours,

  
John R. Phillips  
Chairman  
Development Council

JRP/tww



September 21, 1990

Chris Kellogg and Sally Chase  
KFMZ Radio  
P.O. Box 1345  
Columbia, Mo. 65205

Dear Chris and Sally

The American Cancer Society so appreciated all the support and backing you and the staff of KFMZ gave to the fifth annual Balloon Launch.

It is always my pleasure to work with both of you on these projects. We do so appreciate the air time KFMZ so generously provided for TIGERS FLYING HIGH AGAINST CANCER.

I hope you enjoyed Saturday as much as we did and thanks for appearing on the field. It seemed to go much smoother this year.

It appears the Balloon Launch generated close to \$5000. for the programs and services of the American Cancer Society in Boone County. It is really people like you who make the difference in our efforts to control cancer.

Again, many thanks for donating your time and talent and as "They" say - "A grand time was had by all."

YOU DO MAKE A DIFFERENCE!

Gratefully yours,

A handwritten signature in cursive script that reads "Cindy Mustard".

Cindy Mustard  
Boone Unit  
Field Representative

CM:mh

c:Scott Boltz



April 16, 1991

Mr. Scott Boltz  
KFMZ Radio  
P.O. Box 1268  
Columbia, MO. 65205

Dear Scott:

On behalf of the Boone Unit of the American Cancer Society, please accept our greatest gratitude for the absolutely tremendous support KFMZ and your great staff gave to the 1991 Rock-A-Thon.

Chris and Sally are such a delight to work with on these projects. This year they went beyond the call of duty to broadcast live on four separate occasions. They are truly the very best and the great success of this year's Rock-A-Thon was due in a large part to their continual promotion of the event.

We really do not have enough words to describe how pleased the Cancer Society was in working with KFMZ on the 1991 Rock-A-Thon. We cannot thank you enough for all the air time KFMZ provided the Rock-A-Thon and of course, we look forward to doing this again in 1993.

Once again, many, many thanks for the support and the very generous donation of time and talent contributed by Sally, Chris and KFMZ to the Boone Unit of the American Cancer Society. It is because of your generosity that we can continue to fight the battle to control cancer through research, education and services.

**KFMZ MAKES A DIFFERENCE!!**

Most gratefully,

Cindy Mustard  
Boone Unit Field Representative

c: Chris Kellogg & Sally Chase  
Jeff Liebman



November 26, 1991

Sally Chase & Shawn Michaels  
KFMZ  
P.O. Box 1345  
Columbia, Missouri 65205

Dear Sally & Shawn,

On behalf of the Boone County Unit of the American Cancer Society, I would like to say THANKS for your help in promoting the Great American Smokeout November 21st.

Without the support of businesses such as KFMZ, we would never be able to make this day such a great success. The time you donated in your programming helped us get the message out and encourage smokers to quit. Thanks for all you did! In Columbia alone we handed out thousands of pieces of literature regarding the dangers of smoking, and stickers, buttons, and other information about the detection and prevention of cancer.

Again, thank you for your help.

Sincerely,

Mary Sloan  
Field Representative  
Boone Unit



DEAR SCOTT & LREW,

AMERICA HAS NO BETTER RADIO  
STATION! I DON'T BELIEVE I'VE  
EVER COME IN CONTACT WITH A PLACE  
WHERE MORE KIND, WILLING, FUN,  
CARING PEOPLE NOT ONLY WORK BUT  
LIVE. I SEE YOUR BIGGEST CHALLENGE  
AS GM IS, EXACTLY HOW TO KEEP  
YOUR GREAT STAFF FROM MOVING TO  
HIGHER PLACES.

YOUR ASSISTANCE/INVOLVEMENT  
IS A MAJOR PART OF WHY ROCK-A-THON  
S SUCH A SUCCESS FOR THE COMMUNITY

"A MILLION RATINGS POINTS!"

*Your donation has made  
the difference.*

**Thanks**

Jonathan Cole

Grubman for  
Paul H. Frank



January 5, 1994

Richard Hauschild  
1101 East Walnut  
Columbia, MO 65201

Dear Mr. Hauschild:

Thank you for your participation on our Three-Point Attack Media Squad. KFMZ will appear in the Three-Point Attack insert in the next available Mizzou Tiger Basketball Game Program. I also very much appreciate your sharing the order summary reflecting 270 spots airing now through March.

Your support of our program is nothing short of spectacular! Thank you for helping Coach Stewart's efforts to support the American Cancer Society's cancer research, education, and patient service programs.

Your generosity will make a difference.

Sincerely,

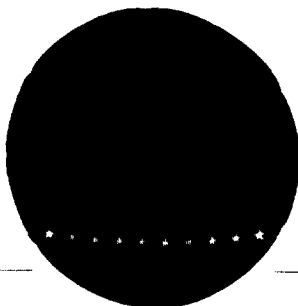
A handwritten signature in cursive script that reads "Richard Antweiler".

Richard Antweiler  
Vice President, Marketing & Communications

RA/mh

cc: Norm Stewart  
Jerry Quick  
Charles Neeley  
Martha Perusek

**COACHES  
VERSUS  
CANCER**



March 15, 1994

Richard Hauschild  
General Manager  
KFMZ  
Box 1268  
Columbia, MO 65205

Dear Mr. Hauschild:

Thank you for your generous participation in the Norm's Special Challenge promotion. With your help, the program has proven very successful. We hope we can count on you again next year. Enclosed is your Certificate of Outstanding Service.

At this time, we would ask that you pull the PSA's on Norm's Special Challenge and the Great Missouri Shootout.

Thank you again for your efforts.

Sincerely,

Richard Antweiler  
Vice President/Marketing & Communications

RA/cb

Enclosure

Dear Renée - KFMZ,

we want to extend a personal  
Thank you for your recent  
help with our patient  
appreciation day. The tremendous  
response that we had could not  
have been possible without  
you. The needy at the St. Francis  
Houses also thank you.

Sincerely,

Mrs. Shawn Victoria Cagle

Contact: Mary Becker, Manager, Marketing Services  
(314) 875-3392

For immediate release

January 2, 1992

## **Record Year for Home for the Holidays**

The seventh year for Home for the Holidays, a service providing free rides home for those too intoxicated to drive was the most successful ever. Rides were given to 226 people over the nine nights the service was offered.

On New Year's eve alone, 182 people were taken home with calls beginning at 9:05 p.m. and continuing until after 2:00 a.m.. The drivers worked until 4:30 a.m. taking people home.

Sponsored by Boone Hospital Center, Boone County National Bank, KFRU Radio, KOMU-TV, Scheppers Distributing, KFMZ Radio, and OATS Transportation Service, the Home for the Holidays program has been offered for the last seven years in the Columbia area giving free rides home during the Christmas and New Year's holidays.

Boone Hospital Center

1600 East Broadway  
Columbia, Missouri 65201  
314/375-4545



January 2, 1992

Chris Kellogg  
KFMZ Radio  
1101 East Walnut  
Columbia, MO 65201

Dear Chris,

I'm pleased to let you know that the 1992 Home for the Holidays program broke all previous records. A total of 226 rides were given over nine nights, 182 of those were given on New Year's eve.

On December 31, the calls began at 9:05 p.m. and continued until after 2 a.m. with three drivers working until 4:30 a.m. with no real problems.

Thanks to your continued participation and support, the Home for the Holidays program is one that we can all be very proud of. Best wishes for a healthy and happy New Year!

Sincerely,

Mary Becker

Manager, Marketing Communications and Community Relations

Boone Hospital Center

1601 East Broadway  
Columbia, Missouri 65201  
(314) 725-4545



January 4, 1993

Chris Kellogg  
KFMZ Radio  
1101 East Walnut  
Columbia, MO 65201

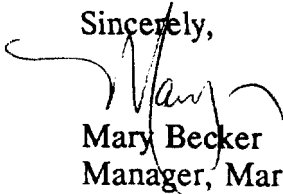
Dear Chris,

I'm pleased to let you know that the 1992 Home for the Holidays program broke all previous records. A total of 254 rides were given over eight nights, 204 of those were given on New Year's eve.

On December 31, the calls began at 8:40 p.m. and continued until the last one came in at 4:50 a.m.. Beginning at midnight, an additional driver was put into service with four drivers transporting individuals to their homes.

Thanks to your continued participation and support, the Home for the Holidays program is one of which we can all be very proud. Best wishes for a healthy and happy New Year!

Sincerely,



Mary Becker  
Manager, Marketing Communications and Community Relations



January 4, 1994

Chris Kellogg  
KFMZ Radio  
1101 East Walnut  
Columbia, MO 65201

Dear Chris,

I'm pleased to let you know that the 1993 Home for the Holidays program was again highly successful. A total of 230 rides were given over five nights, 205 of those were given on New Year's eve. On December 31 the calls began at 8:40 p.m. and continued until approximately at 2:00 a.m..

Thanks to your continued participation and support, the Home for the Holidays program is one of which we can all be very proud. Best wishes for a healthy and happy New Year!

Sincerely,

A handwritten signature in cursive script, appearing to read 'Mary', with a large, sweeping initial 'M'.

Mary Becker  
Director,  
Marketing Communications and Community Relations



# BOONE HOSPITAL CENTER

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1600 East Broadway  
Columbia, Missouri 65201  
Phone: 314/875-4545

**BJC** HEALTH SYSTEM

January 23, 1995

Richard Hauschild  
KFMZ Radio  
1101 East Walnut  
Columbia, MO 65201

Dear Richard,

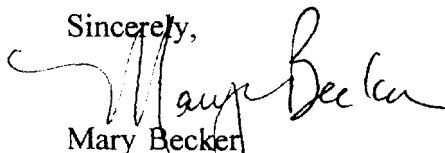
Thanks to KFMZ for once again participating in the Home for the Holidays program. The program certainly wouldn't be the same without your involvement.

The number of rides given this year were down from that of previous years. Hopefully this can be attributed to more people being conscious of their behavior when driving. Certainly, the snow on New Year's Eve had an impact. Following are the numbers of people transported:

December 22--0  
December 23--6  
December 30--9  
December 31--158

The participation of KFMZ in the tenth year of Home for the Holidays is greatly appreciated. Please let me know of ideas you may have for improving the program.

Sincerely,



Mary Becker

Director, Marketing Communications and Community Relations